IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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WEDNESDAY, THE TWENTYSEVENTH DAY OF JULY

TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.16387 OF 2005

Between:

Chunchu Kondamma … Petitioner

Versus

The Mandal Revenue Officer,

Vingamur Mandal, Nellore district. … Respondent

Counsel for the Petitioner: Mr.UNNAM MURALIDHAR RAO

Counsel for the Respondent: GOVT.PLEADER FOR REVENUE

O R D E R :

Aggrieved by the action of the respondent in not considering the application of the petitioner dated 14-5-2005 for renewing and assigning the land in survey no.745 in an extent of Acs:4-50 cents situate at Chakalakonda village, Vinjamur Revenue Mandal, Nellore district, this writ petition is filed seeking mandamus to direct the respondent not to dispossess the petitioner from the aforesaid land.

The case of the petitioner is that he is a landless poor and the respondent granted

her Ek-saal lease through Proceedings No.RC.L.333/04, dated 6-8-2004 in survey no.745 in an extent of Acs:4-50 cents situate at Chakalakonda village, Vinjamur Revenue Mandal, Nellore district and thereafter renewed the lease since 2002.

The petitioner submits that she had invested money to bring the land for cultivation by removing boulders and weeds but the respondent without considering all these aspects did not consider his request for renewal and on the other hand making efforts to allot the said land to some third parties. Moreover, according to Ek-saal lease conditions, the Government can resume the land for genuine public purpose, if the same is proposed to assign to third parties ignoring her efforts, the same amounts to illegal and arbitrary action. She submits that on 14-5-2005 an application was made to the respondent seeking renewal and also a letter from local MLA dated 12-5-2005 recommending her case for renewal and assignment but the same is not considered till date. Therefore, the present writ petition is filed to direct the respondent to consider the case of the petitioner.

Considering the facts and circumstances, without going into merits or otherwise, I deem it appropriate to direct the respondent to consider and dispose of the representation dated 14-5-2005 submitted by the petitioner within eight weeks from the date of receipt of a copy of this order and pass appropriate order on merits and in accordance with law, after giving reasonable opportunity of hearing the petitioner and till such time, the petitioner shall not be dispossessed from survey no.745 in an extent of Acs:4-50 cents situate at Chakalakonda village, Vinjamur Revenue Mandal, Nellore district.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

JULY 27th, 2005. ----------

I s L. ELIPE DHARMA RAO, J.